

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Anthony Lee Arrington**

Docket No. **285382**

L.C. No. **96-001574 FC**

Henry William Saad, Chief Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10),
orders:

The motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal is DISMISSED for lack of jurisdiction because the defendant cannot appeal the denial or rejection of a successive motion for relief from judgment unless based on a change of law or newly discovered evidence. See MCR 6.502(G)(1). In this case, defendant could have raised the sentencing issue in his 2006 motion for relief from judgment. Thus, under MCR 6.502(G)(2), the 2008 motion for relief from judgment was improper.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 30 2008

Date

Sandra Schultz Mengel

Chief Clerk